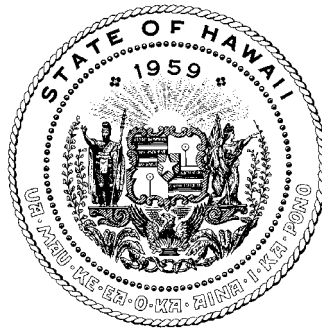


Report to the Twenty-Second Legislature
Regular Session of 2003

on

**SECURING SPACE FOR THE COMMERCIAL HAUL OUT
OF BOATS ON THE ISLANDS OF MAUI AND KAUAI
FOR SAFETY AND COMPLIANCE INSPECTIONS**



Prepared by the
Department of Land and Natural Resources
Division of Boating and Ocean Recreation
State of Hawaii

in response to

Senate Concurrent Resolution No. 158 and
House Concurrent Resolution No. 163
Regular Session of 2002

December 2002

**REPORT TO THE
TWENTY-SECOND STATE LEGISLATURE
REGULAR SESSION 2003**

ON

**SECURING SPACE FOR THE COMMERCIAL HAUL OUT
OF BOATS ON THE ISLANDS OF MAUA AND KAUAI
FOR SAFETY AND COMPLIANCE INSPECTIONS**

This report is submitted in response to Senate Concurrent Resolution (SCR) No. 158 and House Concurrent Resolution (HCR) No. 163, Regular Session of 2002, REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO FACILITATE SECURING SPACE FOR THE COMMERCIAL HAUL OUT OF BOATS FOR SAFETY, COMPLIANCE INSPECTIONS, AND ECONOMIC DEVELOPMENT.

I. BACKGROUND

Commercial vessel operators from Maui and Kauai provided testimony in strong support of the purpose and intent of HCR No. 163 at the hearings conducted by House and Senate Committees during the Regular Legislative Session of 2002. The Department also concurred with the purpose and intent of HCR No. 163, a copy of which is attached for ready reference.

II. STATUS REPORT

A. Kauai.

The Department issued a short-term permit for the use of a parcel within Nawiliwili Boat Harbor for the purpose of performing the haul out and repair of commercial vessels. A temporary structure wholly enclosed in heavy plastic fabric was erected on the parcel. The vessel and all repair activities were contained within the structure. All dust from sanding operations, and fumes from painting and solvents were prevented from escaping into the surrounding atmosphere, and all repair residue was apparently disposed of in accordance with *National Management Measures Guidance to Control Nonpoint Source Pollution from Marinas and Recreational Boating*, EPA 841-B-01-005.

The successful haul out and repairs to two commercial vessels will have been completed at this facility by the end of calendar year 2002. The Department is presently evaluating the most appropriate method of disposing of a long-term lease of this parcel for continued use as a haul out and repair facility. Additional discussions are planned with commercial operators to ensure their needs for this facility are addressed in the lease or permit documents.

B. Maui.

At its meeting on July 28, 2002, the Board of Land and Natural Resources approved the consolidation of State lands at the Mala Wharf area of Maui for set aside to the Department's Division of Boating and Ocean Recreation (DOBOR) for boating related purposes. The area includes the existing boat ramp facility, the boat storage facility (presently operated under a revocable permit), the Mala Wharf approach road, and adjacent submerged lands and water areas, including the offshore mooring area. The drawing showing the area to be set aside is attached for reference.

DOBOR intends to issue a long-term lease for the boat storage area, and include a requirement to provide vessel haul out and repair services, as well as other expanded uses of the premises. The Governor's Executive Order setting this area aside to DOBOR is being processed, and must be issued before a lease is executed. In the interim, DOBOR is discussing various options with several interested parties for developing appropriate facilities needed to service the needs of local boaters.

The Department expects to issue a long-term lease for the vessel haul out, repair, and storage area prior to January 1, 2004.

Attachments

HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO
FACILITATE SECURING SPACE FOR THE COMMERCIAL HAUL OUT OF
BOATS FOR SAFETY, COMPLIANCE INSPECTIONS, AND ECONOMIC
DEVELOPMENT.

1 WHEREAS, the United States Coast Guard requires all
2 commercial boaters to have their boats hauled out at least once
3 every 18 months for the purpose of making inspections for the
4 safety and seaworthiness of vessels; and

5
6 WHEREAS, this is an ongoing activity that occurs on all
7 islands however, only Oahu and the Big Island have facilities
8 for these kinds of haul-outs; and

9
10 WHEREAS, commercial boaters on the islands of Kauai and
11 Maui find that they must actually sail their boats to the Big
12 Island or Honolulu in order to perform these inspections; and

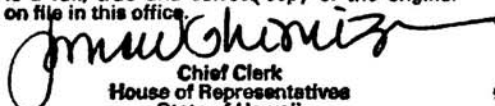
13
14 WHEREAS, this activity puts the crews of these vessels in a
15 position that compromises safety, since many of the vessels were
16 built to operate in semi-protected waters, but now find that
17 they must cross some of the most treacherous waters in the world
18 at predetermined times, often putting the vessels and their crew
19 in harms way; and

20
21 WHEREAS, these inspections are set up in advance and
22 inclement weather may develop subsequently but the inspection
23 times are not very flexible once established and are costly to
24 the industry to reschedule; and

25
26 WHEREAS, there have been instances of boats and lives that
27 have been lost at sea including the tragic lost of life on the
28 research vessel Holo Holo several years ago where crew members
29 were lost in the Alenuihaha Channel; and

30
31 WHEREAS, it is very costly for commercial boaters to send
32 their vessels to other islands because they lose the income from

I do hereby certify that the within document
is a full, true and correct copy of the original
on file in this office.


Chief Clerk
House of Representatives
State of Hawaii

1 their normal charters as well as incur expenditures for their
2 crews in travel costs; and

3
4 WHEREAS, the development of a business to handle this
5 activity is a possibility to consider which would add economic
6 value to the islands of Maui and Kauai; and

7
8 WHEREAS, the State derives a percentage of income from the
9 gross revenues of these vessels and when they are not producing
10 income it is in effect a loss of income for the State; and

11
12 WHEREAS, it would be mutually beneficial for the State and
13 the commercial boaters to have a location on each island for
14 this kind of activity; and

15
16 WHEREAS, the safety and cost issues could be resolved if
17 there were haul-out facilities on the islands of Maui and Kauai;
18 and

19
20 WHEREAS, the commercial boating industry requires only the
1 land for this activity and there is no investment of equipment
22 or other expenses on behalf of the State; and

23
24 WHEREAS, it may not be desirable for the State to get into
25 the dry dock business when merely securing the land for this
26 activity to take place would be sufficient; now, therefore,

27
28 BE IT RESOLVED by the House of Representatives of the
29 Twenty-First Legislature of the State of Hawaii, Regular Session
30 of 2002, the Senate concurring, that the Department of Land and
31 Natural Resources is requested to work with the commercial
32 industry in order to determine a location on the islands of Maui
33 and Kauai where such haul-out activity would be feasible; and

34
35 BE IT FURTHER RESOLVED that the Department of Land and
36 Natural Resources shall report to the Chair of the Water, Land,
37 Energy and Environment Committee of the State Senate and the
38 Chair of the House Water and Land Use Committee of the House of
39 Representatives on its progress with this project, as well as
40 any problems that seem to be stifling the completion of this
41 project, and which may need some legislative solution, no later
42 than twenty days prior to the convening of the Regular Session
3 of 2003; and
4

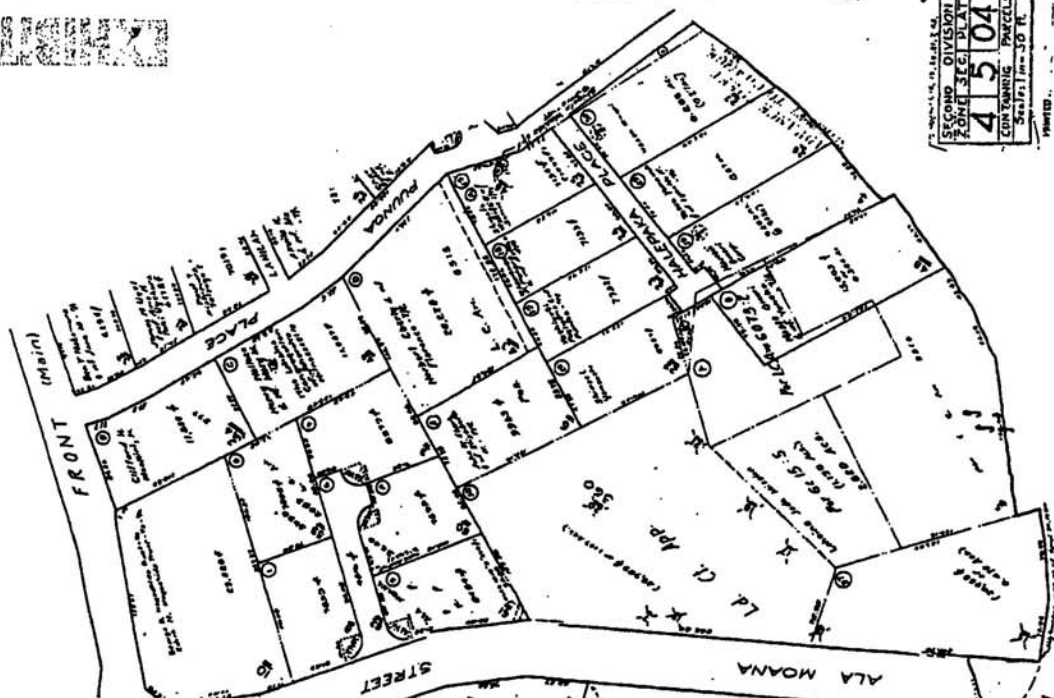
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Mya R. Farroho

MAR 13 2002

W. H. H. H. H.

SECOND DIVISION	4 5 04
ZONE SEC. PLAT	4 5 04
CONTAINING	PARCELS
SECTION 11-30-30	



PLAT 08

FRONT STREET

RP No. 5867
4-5-05: 19

4-5-05: 1

Boat ramp
4-5-05: 3

Offshore Mooring
area

Mala Wharf Approach Road

4-5-04: 13

4-5-04: 14

SECOND DIVISION	4 5 05
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CONTAINING	PARCELS
SECTION 11-30-30	

Submerged lands & surface waters
surrounding the Wharf, Breakerwater
& Boat Launching Ramp